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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,341	11/29/2003	Victor Il'ich Kopp	1014-27	9978

7590 03/20/2007

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EXAMINER	
CHOW, DOON Y	
ART UNIT	**PAPER NUMBER**
2629	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/20/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/724,341	KOPP ET AL.	
	Examiner	Art Unit	
	Dennis-Doon Chow	2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 January 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-2 and 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Everitt (6963321) in view of Fan et al. (6141367).

Everitt discloses a passive matrix display device (col. 20-26) for displaying a video image produced by a signal source connected thereto, comprising; a plurality of LED/OLED display elements connected to the signal source and configured for displaying the video image received from the signal source, wherein each the display element displays a predetermined portion of the video image.

Everitt does not disclose the display elements being chiral laser elements.

Fan discloses a light emitting element being a chiral laser light emitting element (col. 4, lines 1-3; col. 10, lines 46-49).

Thus, it would have been obvious to one ordinary skill in the art to substitute Fan's chiral laser light emitting element for Everitt's LED/OLED because the chiral laser light emitting element has better performance, such as higher speed, than the LED/OLED.

3. Claims 3-4 and 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sito (6404145) in view of Fan et al.

Sito discloses a LCD display device for displaying a video image produced by a signal source connected thereto, comprising: a flat LCD display panel connected to the signal source and configured operable to display the video image received therefrom (Fig. 1): and light source element (col. 4, lines 5-8) positioned behind the flat display panel operable to provide a wide area coherent backlight for the flat LCD display panel.

Sito does not disclose the light source element being a chiral laser element.

Fan discloses a chiral laser light emitting element (col. 4, lines 1-3; col. 10, lines 46-49).

Thus, it would have been obvious to one of ordinary skill in the art to substituted Fan's chiral laser light emitting element for Sito's light source because Sito discloses that any other light source can be used to as the light source element (col. 4, lines 5-8).

Response to Arguments

4. Applicant's arguments filed 1/3/07 have been fully considered but they are not persuasive.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill

in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the Everitt reference teaches a display device comprising a plurality of LED elements for emitting lights, and the Fan reference teaches a chiral laser is well known light emitting element. Since it is known that the chiral laser has better performance, such as higher speed, than the regular LED, it would have been obvious to one of ordinary skill in the art to Substitute Fan's chiral laser for Everitt's LED.

Applicant argues that a combination formed by replacing Everitt's matrix of electronically driven display elements with plural individual Fan's chiral dye lasers is impossible, because each of the two inventions operates on completely different scientific principles and technical infrastructure (electrical pumping/driving vs. optical pumping). The examiner disagrees with applicant's arguments because Fan also teaches applying an electrical field to the chiral laser (col. 14, lines 36-49).

As to applicant's arguments with regarding to the combination of the Fan reference and the Sito reference, the examiner disagrees with applicant's arguments because of the reasons similar to those discussed above in connection with Everitt and Fan.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis-Doon Chow whose telephone number is 571-272-7767. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sumati Lefkowitz can be reached on 571-272-3638. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Dennis-Doon Chow
Primary Examiner
Art Unit 2629

D. Chow
March 15, 2007